

REMARKS

Claim 1-54 are pending. Claims 1, 17, 28 and 44 are amended for clarity.

The Examiner rejected Claims 1-16 and 28-43 under 35 U.S.C. § 112, second paragraph, for language that the Examiner deems vague and indefinite. As amended, the Examiner's objection is believed overcome.

The Examiner repeated his previous rejection of Claims 1-2, 7-16, 28-30, and 34-43 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication 20020032048 ("Kitao"), in view of U.S. Patent Application Publication 20010035683 ("Yearwood"). In Applicants' Amendment of September 5, 2006 ("Previous Amendment"), Applicants pointed out that Claims 1 and 28 each recite an interface to a location information processing unit, which accesses a wide area network through a wireless communication system handset and that both the central processing unit and the location information processing unit can take control of the handset. Claims 1 and 28 are unobvious because, as explained in Applicants' Specification, at page 9, lines 22-33, for example, with access to a wide area network provided through the handset, such a location information processing unit may be used in conjunction with a motor vehicle fleet management system. Applicants pointed out in the Previous Amendment further that neither Kitao nor Yearwood discloses or suggests a location information processing system accessing a wide area network through the handset or the attendant benefits. In contrast to Claims 1 and 28, Yearwood merely discloses use of a GPS system in navigation:

Another advantageous embodiment of the invention additionally comprises a GPS (Global Positioning Satellite) unit, such as is frequently employed as an aid to vehicle navigation, connected to the portable computer 1 by means of the docking station 2. This would constitute one of the optional

further facilities which may be connected to the system. It is known that GPS data may be taken into account by route planning software to aid its operations. The ability to integrate this data and plan routes in "real-time" is a further benefit of the present invention.

(Yearwood, at paragraph [0036])

Because Yearwood's GPS unit is not connected to the wireless communication system handset, Applicants submit that Claims 1 and 28, and their respective dependent Claims 2, 7-16, 29, and 34-43, are each allowable over the combined teachings of Kitao and Yearwood.

In response to the arguments in the Previous Amendment, the Examiner states:

However, the Examiner disagrees with the preceding assertions. Claims 1 and 28 call for a location information processing unit which allows mobile communication device to receive and transmit information about its location (i.e., inherent feature in the wireless communication system for the purpose of handoff, roaming, billing and so on). In this case, the examiner maintains that any communication device (the wireless communication interface 202a) that receives and transmits information about location is equivalent to the location information processing. The claims are broad enough to read on a transceiver which can perform the function of location information unit, as mapped in the rejections above. The combination of Kitao and Yearwood above also discloses that a computer unit mounted on a vehicle can access the internet through a portable telephone and driver can carry out a wide range of function important while present in the vehicle. Furthermore, it is clear in figs. 4 and 5 of the current application that the processing unit 102 includes location unit 150 which is exactly as the vehicle navigation having a GPS is connected the computer in the vehicle illustrated in fig. 1 of Yearwood or Kitao. The rejection is maintained and is made final.

Applicants respectfully submit that the Examiner is in mistaken regarding location determination in a communication device. Location determination for the purpose of handoff, roaming and billing in a wireless communication system is performed on the network side (e.g., at a central control station at the telephone service provider) and not

performed in the mobile wireless device. Thus, contrary to the Examiner's contention, a location determination unit is not inherent in a communication device. Thus, the combined teachings of Kitao and Yearwood neither disclose nor suggest Claims 1 and 28. To further particularly point out that the location information processing unit resides in-vehicle, Claims 1 and 28 are each amended to recite:

... an in-vehicle location information processing unit, the location information processing unit determining a geographical position of the in-vehicle wireless communication system and being connected to a wireless communication system handset, wherein the location information processing unit, through the wireless communication system handset, accesses a wide area computer network to communicate the geographical position ...

Accordingly, Applicants respectfully submit that Claims 1 and 28 and their respective dependent Claims 2-3, 7-16, 29-30 and 34-43 are allowable over the combined teachings of Kitao and Yearwood. Reconsideration and allowance of Claims 1-3, 7-16, 28-30, and 34-43 are therefore requested.

The Examiner also repeated his previous rejection of Claims 4-6, 17-23, 25-27, 31-33, 44-50 and 52-54 under 35 U.S.C. § 103(a) as being unpatentable over Kitao, in view of Japanese Patent Publication 10-291,446 ("Hiyashi")¹, the Examiner relying on Hiyashi to teach "a telephone system comprising a warning unit generating warning based on the connection state of a portable telephone mounted in a vehicle and the vehicle state in order to inform the connection status to a user, thereby making user friendly."

Applicants respectfully traverse the Examiner's rejection. Claims 4-6 and 31-33 depend respectively from Claims 1 and 28. As Hiyashi does not disclose or suggest an in-

¹ Although the Examiner did not mention Yearwood in the rejection statement, the Examiner's discussion indicate that the Examiner relied on both Kitao and Yearwood in the manner discussed with respect to the

vehicle location information processing unit that accesses a wide area network through the handset, Hiyahsi does not cure the deficiencies of Kitao and Yearwood discussed above with respect to Claims 1 and 28. Accordingly, Claims 4-6 and 31-33 are each allowable over the combined teachings of Kitao, Yearwood and Hiyashi.

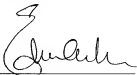
With respect to Claims 17-23, 25-27, 44-50 and 52-54, each of these claims recite:

providing an in-vehicle location processing unit that determines a geographical position and couples to a wireless communication handset, wherein the location processing unit, through the wireless communication system handset, accesses a wide area network to communicate the geographical position;

As discussed above, neither Kitao nor Yearwood discloses or suggests an in-vehicle location processing unit that accesses a wide area network through a wireless communication handset. Therefore, Applicants submit that Claims 17-23, 25-27, 44-50 and 52-54 are allowable over Kitao and Yearwood for the reasons already discussed above. As Hiyashi merely discloses a mechanism for generating a warning when the handset is not properly seated, Claims 17-23, 25-27, 44-50 and 52-54 are each allowable over the combined teachings of Kitao, Yearwood and Hiyashi. Reconsideration and allowance of Claims 4-6, 17-23, 25-27, 31-33, 44-50 and 52-54 are therefore requested.

For the foregoing reasons, Applicants submit that all pending claims (i.e., Claims 1-54) are each allowable over the prior art of record. Reconsideration and allowance of these claims are respectfully requested. If the Examiner has any questions regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicants at 408-392-9250.

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Date of Signature

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